

**IMPLEMENTING RULES AND REGULATIONS  
OF  
REPUBLIC ACT NO. 10066,  
AN ACT PROVIDING FOR THE PROTECTION AND CONSERVATION OF THE  
NATIONAL CULTURAL HERITAGE, STRENGTHENING THE NATIONAL  
COMMISSION FOR CULTURE AND THE ARTS (NCCA) AND ITS  
AFFILIATED CULTURAL AGENCIES, AND FOR OTHER PURPOSES**

**RULE I  
TITLE, PURPOSE AND CONSTRUCTION**

**Section 1. Short Title.** - These rules shall be known as the "Implementing Rules and Regulations of Republic Act No. 10066 otherwise known as the National Cultural Heritage Act of 2009"

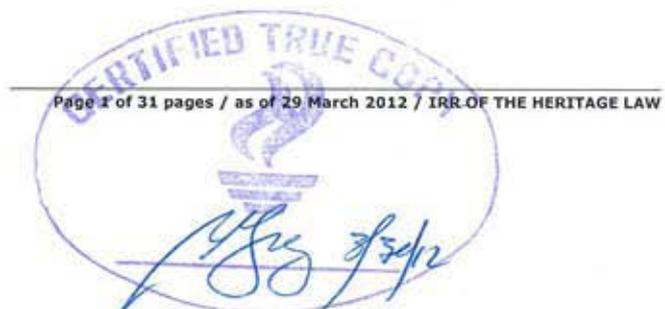
**Section 2. Purpose.** - These Rules are promulgated to prescribe the procedures and guidelines for the implementation of RA No. 10066 in order to facilitate compliance therewith and to achieve the objectives thereof.

**Section 3. Construction.** - These Rules shall be construed and applied in accordance with, and in furtherance of the policies and objectives of the law. In case of conflict or ambiguity, which may arise in the implementation of these Rules, the National Commission for Culture and the Arts shall issue the necessary clarification. In case of doubt, the same shall be construed liberally and in favor of the Constitutional directives to foster preservation, enrichment and dynamic evolution of a Filipino culture.

**Rule II  
DECLARATION OF POLICIES AND OBJECTIVES**

**Section 4. Declaration of Policies.**—In line with the Constitution, the following policies shall guide these rules:

- Section 4.1.** The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression (Sec. 14, Art. XIV Constitution)
- Section 4.2.** Arts and letters shall enjoy the patronage of the State. The State shall conserve, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations. (Sec. 15, supra)
- Section 4.3.** All the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State, which may regulate its disposition. (Sec. 16, supra)



**Section 4.4.** The State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions. It shall consider these rights in the formulation of national plans and policies. (sec. 17, supra)

**Section 5. Objectives.**—In pursuit of cultural preservation as a strategy for maintaining Filipino identity, these rules shall pursue the following objectives:

**Section 5.1.** Protect, preserve, conserve and promote the nation's cultural heritage, its property and histories, and safeguard the ethnicity of local communities;

**Section 5.2.** Establish and strengthen cultural institutions; and,

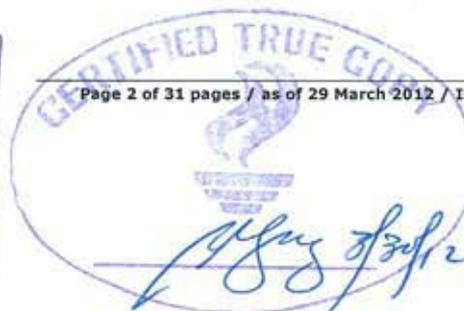
**Section 5.3.** Protect cultural workers and ensure their professional development and well-being.

The State shall likewise endeavor to create a balanced atmosphere where the historic past co-exists in harmony with modern society. It shall approach the problem of conservation in an integrated and holistic manner, cutting across all relevant disciplines and technologies. The State shall further administer the heritage resources in a spirit of stewardship for the inspiration and benefit of the present and future generations.

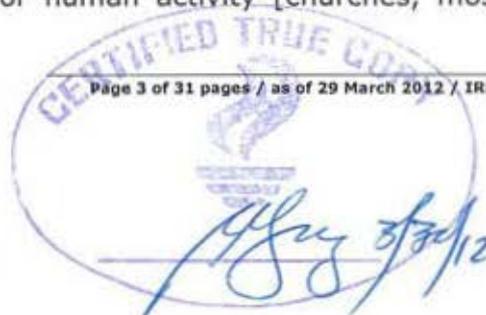
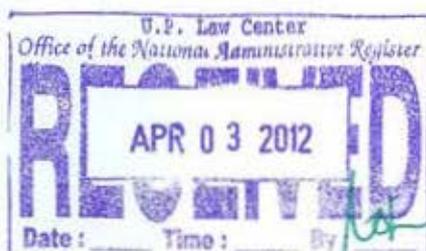
### **Rule III DEFINITION OF TERMS**

**Section 6. Definition of Terms.**—for purposes of this Act, the following terms shall be defined as follows:

- (a) **"Adaptive Re-use"** shall refer to the utilization of buildings, other built structures and sites of value for purposes other than that for which they were intended originally, in order to conserve the site, their engineering integrity and authenticity of design.
- (b) **"Anthropological Area"** shall refer to any place where studies of specific ethno-linguistic groups are undertaken, the properties of which are of value to cultural heritage.
- (c) **"Antique"** shall refer to a cultural property found locally which is one hundred (100) years in age, more or less, the production of which has ceased.
- (d) **"Archeological Area"** shall refer to any place whether above or underground, underwater or at sea level, containing fossils, artifacts and other cultural, geological, botanical, zoological materials which depict and document culturally relevant paleontological, prehistoric and/or historic events.

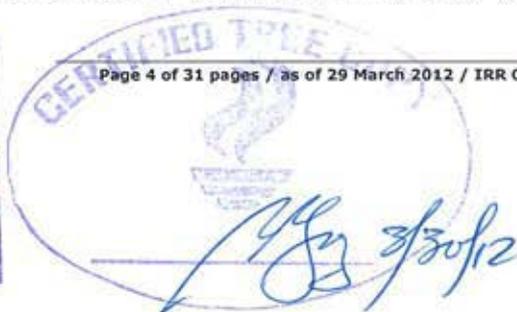
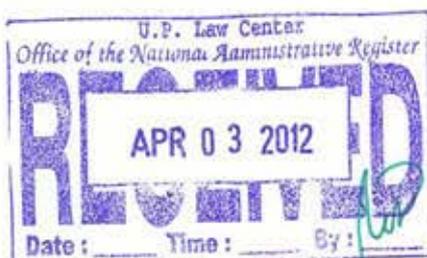


- (e) **"Archive"** or **"archives"** shall refer to public and private records in any format which have been selected for permanent preservation because of their evidential, historical information value; otherwise known as archival materials collections or archival holdings; the place (building/room/storage area) where archival materials are kept and preserved; and an organization or agency or part thereof whose main responsibility is to appraise, arrange, describe, conserve, promote and make archival materials available for reference and research, also known as archival agency.
- (f) **"Built heritage"** shall refer to architectural and engineering structures, such as but not limited to bridges, government buildings, ancestral houses, places of worship, traditional dwellings, military installations, train stations, lighthouses, small ports, city and streetscapes, educational technological and industrial complexes, and their settings, and landscapes with notable historical and cultural significance.
- (g) **"Collector"** shall refer to any person who or institution that acquires cultural property for purposes other than sale.
- (h) **"Commission"** shall refer to the National Commission for Culture and the Arts (NCCA).
- (i) **"Conservation"** shall refer to all the processes and measures of maintaining the cultural significance of a cultural property, including but not limited to, preservation, restoration, reconstruction, protection, adaptative re-use or any combination thereof.
- (j) **"Cultural agencies"** shall refer to any of the following national government agencies with their specific areas of responsibility: National Museum (cultural property), the National Library (books); National Historical Commission of the Philippines (Philippine history), the National Archives of the Philippines (documents), the Cultural Center of the Philippines (culture and the arts) and Komisyon ng Wikang Filipino (language).
- (k) **"Cultural Education"** shall refer to the teaching and learning of cultural concepts and processes.
- (l) **"Cultural Heritage"** shall refer to the totality of cultural property preserved and developed through time and passed on to posterity.
- (m) **"Cultural Heritage worker"** shall refer to an individual undertaking cultural heritage work.
- (n) **"Cultural Institution"** shall refer to entities primarily engaged in cultural work.
- (o) **"Cultural Property"** shall refer to all products of human creativity by which a people and a nation reveal their identity, including architecture and sites or human activity [churches, mosques and



other places of religious worship, schools] and natural history specimens and sites, whether public or privately owned, movable or immovable, and tangible or intangible.

- (p) **"Dealers"** shall refer to natural and juridical persons who acquire cultural property for the purpose of engaging in the acquisition and disposition of the same.
- (q) **"Heritage Zone"** shall refer to historical, anthropological, archeological, artistic, geographical areas, center district, and settings that are culturally significant to the country, as declared by the National Museum and/or the National Historical Commission of the Philippines.
- (r) **"History"** shall refer to a written record of past events relating to Philippine history.
- (s) **"Historical Landmarks"** shall refer to sites or structures that are associated with events or achievements significant to Philippine history as declared by the National Historical Commission of the Philippines.
- (t) **"Historical Monuments"** shall refer to structures that honor illustrious persons or commemorate events of historical value as declared by the National Historical Commission of the Philippines.
- (u) **"Historical Shrines"** shall refer to historical sites or structures hallowed and revered for their history or association as declared by the National Historical Commission of the Philippines.
- (v) **"Historical Street Name"** shall refer to a street name which has been in existence for at least fifty (50) years and over time has been considered historic.
- (w) **"Important Cultural Property"** (ICP) shall refer to a cultural property having exceptional cultural, artistic, and historical significance to the Philippines as shall be determined by the National Museum, the National Historical Commission of the Philippines, the National Library of the Philippines and/or the National Archives of the Philippines.
- (x) **"Incunabula"** printed works produced by the native press when the art of printing in a particular country or locality is still in infancy. In the Philippines, historians and bibliographers often refers to the years 1593 to 1640 our incunabula period.
- (y) **"Intangible Cultural Heritage"** shall refer to the practices, representations, expressions, knowledge, skills, as well as instruments, objects and artifacts associated therewith, that communities, groups and individuals recognize as part of their cultural heritage, such as: (1) oral traditions, usages, customs, languages and other expressions; (2) performing arts; (3) social



practices, religious rites, rituals, culinary traditions and festive events; (4) knowledge and practices concerning nature and the universe, worship and (5) traditional craftsmanship.

- (z) **"Intangible cultural property"** shall refer to the peoples' learned processes along with knowledge, skills and creativity that inform and are developed by them, the products and other manifestations that they create and the resources, spaces and other aspects of social and natural context necessary for their sustainability.
- (aa) **"Language"** refers to the codes and symbols used by a particular speech community in both written and spoken form to facilitate the conduct of any discourse that contributes to the smooth functioning of society.
- (bb) **"Library"** shall refer to an institution where the collection of books, manuscripts, computerized information and other materials are organized to provide physical, bibliographic, and/or intellectual access to the public, with a librarian that is trained to provide services and programs related to the information needs of its clientele.
- (cc) **"Manuscripts"** works prepared by hand including handwritten or typescript drafts of the publication papers or works not otherwise in multiple copies.
- (dd) **"Museum"** shall refer to a permanent institution that researches, acquires, conserves, communicates and exhibits the material evidence of humans and their environment for purposes of education or leisure.
- (ee) **"National Cultural Treasure"** shall refer to a unique cultural property found locally, possessing outstanding historical, cultural, artistic and/or scientific value which is highly significant and important to the country and officially declared as such by the pertinent cultural agency.
- (ff) **"Nationally significant"** shall refer to historical, aesthetic, scientific, technical, social and/or spiritual values that unify the nation by a deep sense of pride in their various yet common identities, cultural heritage and national patrimony.
- (gg) **"Natural Property of Cultural Significance"** shall refer to areas possessing outstanding ecosystems with flora and fauna with national scientific importance under the National Integrated Protected Areas System.
- (hh) **"NCCA Portal Cultural Databank"** refers to the specific domain in the Commission's intranet for cultural information that is accessed only internally with control and confidentiality. It includes the Philippine Registry of Cultural Property (PRECUP).



- (ii) **"Pre-history"** refers to the period of human existence and activities before the introduction of the forms of writing.
- (jj) **"Presidential Papers/Collections"** contains published and unpublished collection on Philippine presidency from Emilio Aguinaldo to present. It also includes photographs, books collections, manuscripts, personal papers and records as well as digital resources.
- (kk) **"Rarebooks"** all Filipiniana books printed or publish before 1945. It also includes original manuscripts, exceptional collections, and other publications of historical importance.
- (ll) **"Records"** recorded information produced or received in the initiation, conduct or completion of an institutional or individual activity and that comprises content, context and structure sufficient to provide evidence of the activity.
- (mm) **"Registry"** shall refer to the Philippine Registry of Cultural Property (PRECUP), which is the registry of all cultural property of the country deemed significant to cultural heritage.
- (nn) **"Restoration"** shall refer to the action taken or the technical intervention to correct deterioration and alterations.
- (oo) **"Special Collections"** materials, within a library, which are "special" in nature which are typically stored because they are unusually valuable, rare, and unique. It also includes rare books, archives, and collected manuscripts.
- (pp) **"Tangible cultural property"** shall refer to cultural property with historical, archival, anthropological, archeological, artistic, and/or architectural value and with exceptional or traditional production, whether of Philippine origin or not, including antiques and natural history specimens with significant value.

#### Rule IV CULTURAL PROPERTY

**Section 7. Categories.** - The Cultural Property of the country whether public or privately owned, movable or immovable, and tangible or intangible shall be categorized as follows:

*The following shall be declared as Grade I level:*

- (a) World Heritage Sites;
- (b) National Cultural Treasures;
- (c) National Historical Landmarks;
- (d) National Historical Shrines; and,
- (e) National Historical Monuments.



*The following shall be declared as Grade II level:*

(a) Important Cultural Properties;

**Section 7.1. Grade III cultural property.** — All other cultural property in the Registry of Cultural Property not declared as Grades I or II shall be Grade III cultural property deemed—Important Cultural Property, unless otherwise delisted.

**Section 7.2. Uncategorized property.**—Undeclared property not falling under the presumption of Important Cultural Property, but contains characteristics that will qualify them as such shall be registered in the Philippine Registry of Cultural Property.

**Section 8. Cultural Property Considered Important Cultural Property.** - For purposes of protecting a cultural property against exportation, modification or demolition, the following works shall be considered Important Cultural Property:

**Section 8.1. Works by a Manlilikha ng Bayan.** — Works by deceased Manlilikha ng Bayan awardees shall be considered Important Cultural Property, unless declared or its presumption removed by the Commission.

**Section 8.2. Works by National Artists.**—Works by deceased National Artists shall be considered Important Cultural Property, unless declared or its presumption removed by the Commission.

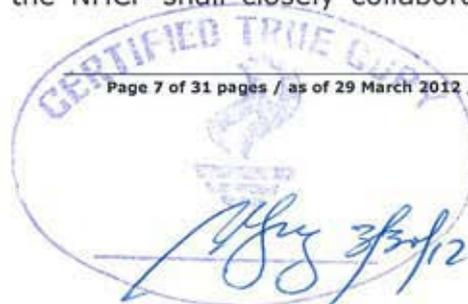
**Section 8.3. Archeological, traditional, ethnographic material.** — Unless declared or its presumption removed by the National Museum, all archeological and traditional ethnographic materials shall be considered Important Cultural Property.

**Section 8.4. Works and Structures.**—Unless declared or its presumption removed by the National Historical Commission of the Philippines, works of national heroes, movable or immovable structures marked by the NHCP or any of its predecessor agencies or structures at least fifty (50) years old, shall be considered Important Cultural Property.

**Section 8.5. Archival materials or documents.**—Unless declared or its presumption removed by the National Archives, archival materials or documents at least fifty (50) years old shall be considered Important Cultural Property.

**Section 8.6. Rarebooks and Incunabula.**—Unless declared or its presumption removed by the National Library of the Philippines, rarebooks, special collections, and incunabula shall be considered Important Cultural Property.

**Section 9. World Heritage Sites (WHS).** - The Commission, together with either the National Museum or the NHCP shall closely collaborate with United



Nations Educational Scientific and Cultural Organization (UNESCO) National Commission of the Philippines in ensuring the conservation and management of world heritage sites of cultural and mixed sites category, in the Philippines.

**Section 9.1. Standards of conservation for World Heritage Sites.**

—The WHS shall be subject to the highest standards of conservation and management prescribed by the WH Convention, its Operational Guidelines and the WH Committee, to ensure the safeguarding and sustainability of its Outstanding Universal Values over time. In no manner shall the Outstanding Universal Value, its authenticity and integrity be allowed to be compromised.

**Section 9.2. Monitoring of World Heritage Sites.**—The

Commission shall continuously monitor the condition of the sites and shall, with the National Museum and the NHCP as appropriate, collaborate with the site managers and the Local Government Units where the WHS is located to ensure the safeguarding of the Outstanding Universal Value, the integrity and authenticity of the WHS.

**Section 9.3. Referral to penal provisions.**—Should an agency, local or otherwise, fail to ensure the authenticity and integrity of the WHS, the Commission shall enforce the penal provisions of this Act.

**Section 9.4. Conservation Management Plan.**—The Commission shall ensure that all WHS have a Conservation Management Plan. This Management Plan shall be prepared according to the requirements of WH Convention and its Operational Guidelines and shall contain provisions for protection, management and conservation of the WHS including cartographic materials that clearly show its boundaries and allowed zones for protection.

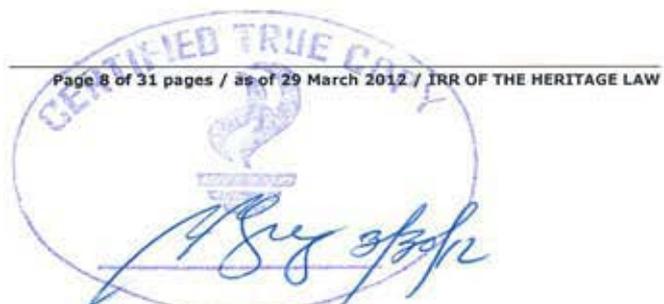
The Management Plan shall be implemented by all sectors involved in the conservation, management and protection of the WHS including other non-government stakeholders of the property.

The Conservation Management Plan shall be subject to regular evaluation and review by the Commission.

**Section 9.5. Technical assistance.**—The Commission, the National Museum or the NHCP, as appropriate, may provide technical assistance to stakeholders and local government units with property in the tentative list for the preparation of the necessary documents and dossier required for inscription in the UNESCO World Heritage List.

**Section 10. Privileges of Cultural Property.** - All cultural properties declared as National Cultural Treasures and National Historical Landmarks shall be entitled to the following privileges:

- (a) Priority government funding for protection, conservation and restoration;



- (b) Incentives for private support of conservation and restoration through the Commission's Conservation Incentive Program for National Cultural treasures;
- (c) An official Heritage Marker placed by the cultural agency concerned indicating that the immovable cultural property has been identified as national cultural treasures; and/or national historical landmarks, sites or monuments; and,
- (d) In times of armed conflict, natural disasters, and other exceptional events that endanger the cultural heritage of the country, all World Heritage Sites, National Cultural Treasures or National Historical Landmarks, sites or monuments shall be given utmost priority protection by the Government

All cultural property declared as Important Cultural Property may also receive government funding for its protection, conservation, and restoration. An official Heritage Marker may likewise be placed on an immovable cultural property to identify the same as important cultural property.

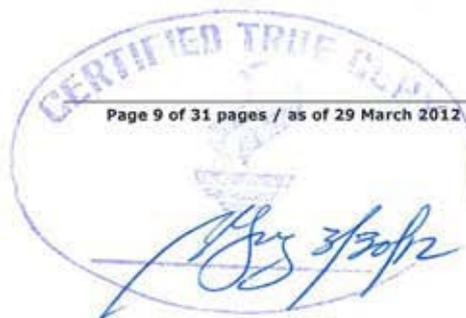
**Section 11. Procedure for Declaration, De-Listing and Lifting of National Cultural Treasures, Important Cultural Property or Property Deemed Important Cultural Property.** - The procedure in declaring as well as in delisting a National Cultural Property or an Important Cultural Property shall be as follows:

**Section 11.1. Filing of the petition.**—A declaration or a lifting of cultural property as National Cultural Treasure or Important Cultural Property shall commence upon the filing of a verified petition by the owner, stakeholder or any interested person with the Commission, which shall issue temporary remedies, if necessary to protect a site prior to declaration, after which it shall refer the matter to the appropriate cultural agency.

Upon verification of the suitability of the property as a national cultural treasure or an important cultural property, the cultural agency concerned shall send notice of hearing to the owner and stakeholders. Stakeholders, including but not limited to local government units, local culture and arts council, local tourism councils, non-government conservation organizations, and schools, may be allowed to file their support or opposition to the petition;

The owner and/or other stakeholders shall file their position paper within fifteen (15) days from receipt of the notice of hearing, furnishing all the parties, including the appropriate cultural agency, with such position paper. Extensions may be allowed, but in no case shall it exceed more than thirty (30) days; and

The petitioner/stakeholder shall give their answer within fifteen (15) days upon receipt of any position paper. Thereafter, no further submissions shall be allowed.



The appropriate cultural agency shall have a maximum of ninety (90) days from the deadline of the submission of all the answers within which to submit its resolutions and render its decision on the application.

**Section 11.2. Filing fees.**—The Commission may charge a fee for petitions.

**Section 12. Right of First Refusal on the Sale of National Cultural Treasures, Important Cultural Properties, National Historical Landmarks, declared sites and structures.** – The appropriate cultural agency shall be given the right of first refusal in the purchase of cultural property declared as national cultural treasures. Prior to the finality of the sale, the appropriate cultural agency may likewise match any offer made for the purchase of national cultural property.

**Section 12.1. Notice in writing.**—Any owner of a National Cultural Treasure shall notify in writing the appropriate cultural agency when it has an agreement to sell said National Cultural Treasure and the terms and considerations thereof.

**Section 12.2. Period for Exercise of the Right-** The owner shall give the appropriate cultural agency ninety (90) days from notice in which to match the consideration for the purchase of the said National Cultural property.

**Section 13. Licensing of Dealers of Cultural Property.** - All dealers of cultural properties shall secure a license to operate as such from the National Museum. The National Museum shall continue the licensing of dealers, agents and exporters of cultural properties as well as the renewal of their licenses pursuant to the existing rules and regulations.

All agents of dealers and exporters of cultural properties shall also secure a license from the National Museum in accordance with the existing policies of the National Museum.

**Section 14. Dealings of Cultural Property.** - No cultural property shall be sold, resold, or taken out of the country without first securing a clearance from the cultural agency concerned, particularly the National Museum in the case of a Permit to Export.. In case the property shall be taken out of the country, it shall solely be for the purpose of scientific scrutiny or exhibit, repair, visual arts cleaning and restoration, except for those cultural property that are considered fine arts, works of National Artists other than for Architecture, and those works that have been produced by living Manlilikha ng Bayan awardees and artifacts, archeological, traditional and ethnographic materials classified as Grade III.

(a) **Sale or Resale of Cultural Property-** The sale or resale of a cultural property, subject to the right of first refusal in Section 12 hereof shall also require the following:



1. National Cultural Treasures shall not change ownership, except by inheritance or by sale duly approved by the concerned cultural agency; provided, however, that it may not be taken out of the country for reasons of inheritance or sale.
2. National Cultural Treasures may be taken out of the country only with a written permit from the concerned cultural agency and only for purposes of exhibition or for scientific scrutiny but shall be returned immediately after such exhibition or study; provided, however, that necessary safeguards have been duly complied with, as required by the concerned cultural agency.

(b) **Purposes for which a Cultural Property Grade I and II may be taken out of the country-** In case the property shall be taken out of the country, it shall solely be for the purpose of scientific scrutiny or exhibit, and shall meet the following requirements:

1. The applicant must execute an affidavit that the cultural property is not for sale and will guarantee its return to the country after its event;
2. To guarantee such return, the said cultural property shall be covered by a surety bond amounting to 100% of the appraised value. The surety bond shall be issued by a reputable insurance company;
3. In case the exhibit of the cultural property is extended, prior approval by the National Museum shall be secured;
4. The bond shall be forfeited when the National Museum is not informed of its extension.

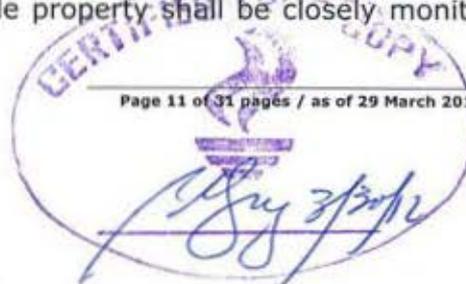
No licensed agent, dealer or exporter shall engage in the sale of cultural properties not duly stamped or marked by the National Museum or concerned agency;

Cultural properties in transit within the Philippines shall be covered by a conduction invoice by the seller thereof indicating his Residence Certificate and Tax Account Number;

Within one hundred and twenty (120) days after the approval of these rules and regulations all cultural properties placed on sale shall be duly registered and stamped by the National Museum or concerned agency;

Transfer, change of ownership or sale of National Cultural Treasure and Important Cultural Properties shall be reported to the Commission or the concerned agency by the transferee within thirty (30) days from the conclusion of such transaction.

(c) **Intangible cultural property.**—The Commission shall monitor and administer the protection of intangible cultural property. The material recordings of intangible property shall be closely monitored. Recordings



of intangibles save for indigenous design shall require written permits from the Commission when taken out of the country.

## RULE V HERITAGE ZONES / DISTRICTS

**Section 15. Designation of Heritage Zones.** - The National Historical Commission of the Philippines, the National Museum, in consultation with the Housing and Land Use Regulatory Board or other concerned agencies shall designate heritage zones to protect the historical and cultural integrity of a geographical area.

**Section 15.1. Declared Heritage Zones.**—shall be subject to the environmental impact assessment laws, rules and regulations of the DENR and shall henceforth be considered a culturally sensitive area for purposes of complying with the requisites of the said laws, rules and regulations.

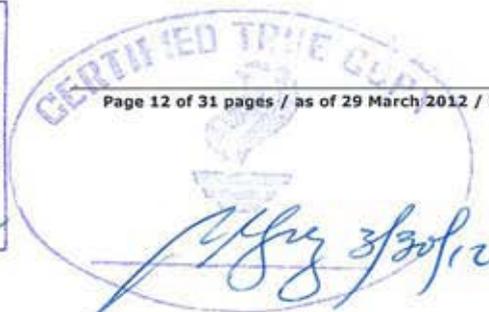
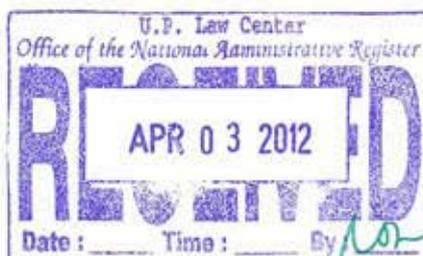
**Section 15.2. Petition for declaration of Heritage Zones.**—Local government units may apply with the NHCP or National Museum for the designation of a heritage zone in its jurisdiction.

**Section 16. Maintenance of Heritage Zones.**—A Heritage Zone shall be maintained by the local government unit concerned, in close coordination with the appropriate cultural agency. The local government unit having jurisdiction over a declared Heritage Zone shall have the following guidelines:

- (a) Implementation of adaptive re-use of cultural property;
- (b) Appearance of streets, parks, monuments, buildings, and natural bodies of water, canals, paths and Barangays within a locality shall be maintained as close to their appearance at the time the area was of most importance to Philippine history as determined by the National Historical Commission of the Philippines; and,
- (c) Local government units shall document and sustain all socio-cultural practices such as but not limited to traditional celebrations, historical battles, recreation of customs, and the re-enactment of battles and other local customs that are unique to a locality.

## RULE VI REGISTRATION AND CONSERVATION OF CULTURAL PROPERTY

**Section 17. Establishment of a Philippine Registry of Cultural Property (PRECUP).** - All cultural property of the country deemed important to cultural heritage shall be registered in the Philippine Registry of Cultural Property.



The Commission, through the appropriate cultural agencies and local government units shall establish and maintain this Registry within three (3) years from the effectivity of this Act.

**Section 17.1. Inventory by Cultural Agencies.** - All cultural agencies concerned shall individually maintain and come up with an inventory, evaluation and documentation of all cultural property they have declared and shall submit the same to the Commission.

**Section 17.2. Annotation of Titles of Immovable Cultural Properties-** For property declared as Immovable Cultural Property, the appropriate cultural agency shall, after registration, give a copy of the said property to the Registry of Deeds having jurisdiction over the said property, for annotation on the land titles covering said immovable property.

**Section 17.3. Inventory by LGUs-** Local government units, through their cultural offices, shall likewise maintain an inventory of cultural property under its jurisdiction and shall furnish the Commission a copy of the same.

**Section 17.4. Confidentiality-** Information on registered cultural properties owned by private individuals shall remain confidential and may be given only upon prior consent of the private owner. The Commission shall operate the Registry in the NCCA portal cultural databank.

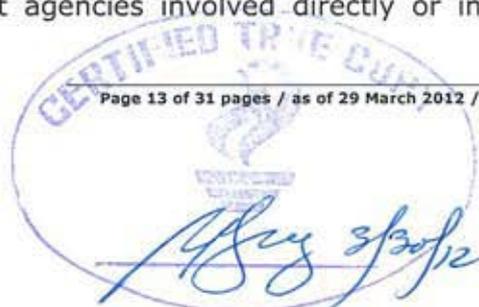
**Section 17.5. Public Accessibility-** The Commission shall maintain a separate list for the public stating the categories and cultural properties thereunder for public access that will not indicate ownership and location of such cultural properties.

**Section 18. Conservation of Cultural Property.**—All intervention works and measures on conservation of National Cultural Treasures, Important Cultural Property, as well as National Historical Landmarks, sites, monuments, and structures previously marked by the National Museum and/or the National Historical Commission of the Philippines before the implementation of this Act shall be undertaken only upon prior approval of the Commission through the appropriate cultural agency which shall supervise the same.

The Commission shall approve only those methods and materials that strictly adhere to the accepted international standards of conservation.

**Section 19. Documentation and Preservation of Traditional and Contemporary Arts.** - Local government units shall document traditional and contemporary arts and crafts, including their processes and makers, and sustain the sources of their raw materials within their jurisdiction. The local government units shall encourage and sustain traditional arts and crafts as active and viable sources of income for the community.

The Commission, the Department of Trade and Industry, the Department of Tourism and other government agencies involved directly or indirectly in the

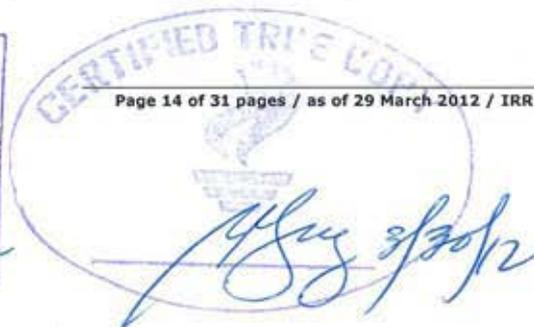


production of goods shall assist the local government units in protecting their traditional and contemporary arts and crafts making them viable for current and future markets, with a view to encouraging and promoting the unique heritage and identities of the said communities.

The local government unit concerned shall submit an annual inventory of these documentations to the Commission, which will be included in the Philippine Registry of Cultural Property.

**Section 20. Systematic Research in Natural History.** - The National Museum shall have the authority to collect, maintain and develop the national reference collections of Philippine flora and fauna, rocks and minerals through research and field collection of specimens including Important Cultural Property within the territorial jurisdiction of the Philippines. It shall be exempt from any and all permit systems regulating the same.

- (a) The exemption shall be guided with the following principles:
1. Natural History specimens are organisms and objects (live or preserved) that are collected or studied in the Philippines. This can include collections that are donated or given as exchange that can promote and develop the nation's rich natural and cultural heritage of the Filipino People;
  2. The National Museum shall be exempt from applying for permits pertinent to collection and transport within the Philippines. Such research / collection activities shall be accompanied by a Travel Order and Authority to Collect duly signed by the Director of the National Museum or his duly authorized representative.
  3. Collection, either of whole specimens or derivatives (such as parts, tissue samples, or genetic samples), shall be allowed only for the establishment of reference collection and / or taxonomic study.
  4. The National Museum shall inform the Department of Environment and Natural Resources and the National Commission on Indigenous People for the collection of terrestrial species. It shall inform the Department of Agriculture for the collection of aquatic/marine species.
  5. The local officials from the barangays to municipal and or city government officers shall also be informed of the collection. The Palawan Council for Sustainable Development (PCSD) shall be likewise be notified in case the collections is conducted in Palawan.
  6. All holotype specimens of fossils, plants and animals collected in Philippine territory shall be deposited in the National Museum. However, all other types of specimens such as



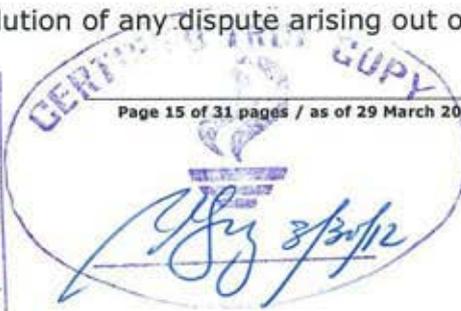
paratypes, neotypes, etc. need not necessarily be deposited at the National Museum chiefly for safety and security reasons.

7. All government agencies as well as private entities involved in research in natural history shall submit the list of holotypes with their corresponding information to the National Museum one hundred and twenty (120) days after the approval of these Rules. The transfer of holotypes shall be done upon request by the National Museum.
  8. All holotypes of fossils, plants and animals are classified as Important Cultural Property while specimens belonging to endangered species; and irreplaceable specimens such as fossils, and specimens that are 100 years old or more are classified as Cultural Property Grade II. Holotypes may be declared National Cultural Treasures.
  9. The Permit to Export any specimens under the category of cultural property shall be issued by the National Museum. Likewise, the National Museum shall issue the Certificate of Non-Coverage for all other natural history specimens.
  10. Natural history specimens collected in the Philippines by the National Museum acquired through exchange and collaborative work, donation, gift and purchase shall be deposited in the National Museum.
- (b) Natural History specimens can be accessed by the public following the rules and regulations on the access to museum collections and data.
- (c) To establish linkages with researchers and scientists from local and foreign institutions, the National Museum shall designate them as National Museum Research Associates in conformity with its own guidelines.

**Section 21. Heritage Agreements.** - The Commission, upon advice of the concerned cultural agency, may enter into agreements with private owners of cultural properties with regard to the preservation of said properties.

Such agreement shall be in the form of a contract, and may include such terms and conditions including, but not limited to:

- (a) Public access to the property;
- (b) Value of the encumbrance;
- (c) Duration of the servitude of the property;
- (d) Restriction of the right of the owner or occupant to perform acts on or near the place;
- (e) Maintenance and management of the property;
- (f) Provision of financial assistance for the conservation of the property;
- (g) Provision of financial assistance for the conservation of the property; and,
- (h) Procedure for the resolution of any dispute arising out of the agreement.



Such agreement should be annotated in the land title to bind future owners and/or occupants of the immovable cultural property.

**Section 22. National Inventory of Intangible Cultural Heritage.** - The appropriate cultural agency shall closely collaborate with the UNESCO National Commission of the Philippines in the implementation of the provisions of the UNESCO conventions to which the Philippines is a signatory. The Philippine Intangible Cultural Heritage Committee established by the UNESCO National Commission of the Philippines shall continue to take lead role in implementing the provisions of the UNESCO Convention for the Safeguarding of the Intangible Cultural heritage with particular attention to Article 11 to 15 of the said Convention. This inventory shall be included in the registry.

**Section 23. Immovable National Cultural Treasures.** - Immovable National Cultural Treasures and important cultural properties or declared structures shall not be relocated, rebuilt, defaced or otherwise changed in a manner, which would destroy the property's dignity and authenticity, except to save such property from destruction due to natural causes.

The site referred to in this provision may only be moved after securing a permit from the Commission.

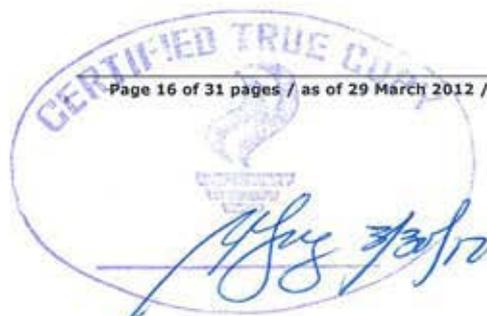
**Section 24. Indigenous properties.** - The appropriate cultural agency in consultation with the National Commission on Indigenous Peoples shall establish a program and promulgate regulations to assist indigenous people in preserving their particular cultural and historical properties.

**Section 25. Renaming of Historical Streets, Buildings Designated as Cultural Treasure or Important Cultural Property.** - The names of historical streets, parks, buildings, shrines, landmarks, monuments and sites designated as National Cultural Treasures or Important Cultural Property shall not be allowed to be re-named by a local or national legislation, unless approved by the National Historical Commission of the Philippines, and only after due hearing on the matter. Furthermore, for changes of names done to historical streets, parks, buildings, shrines, landmarks, monuments, and sites prior to the effectivity of this act, the National Historical Commission of the Philippines may direct the local government units to restore their original names, also after due hearing.

## RULE VII REGULATING THE EXPORT, TRANSIT, IMPORT AND REPATRIATION OF CULTURAL PROPERTY

**Section 26. Export of Cultural Property.** - Whoever desires to export cultural property registered in the Philippine Registry of Cultural Property shall adhere to the following requirements:

- (a) Authorization from the Commission through the appropriate cultural agencies;



- (b) Application for export permit shall be submitted thirty (30) days before the intended export from the Philippines; and,
- (c) Application for export permit must include the following: (1) the purpose of the temporary export; (2) the export date of the cultural property; (3) the repatriation date of the cultural property; (4) a description of the cultural property; and, (5) the inventory of the cultural property in the Philippine Registry of Cultural Property.

The grant of export permit shall be based on the following conditions: (i) the cultural property is exported on a temporary basis; and, (ii) export of cultural property is necessary for scientific scrutiny or exhibit.

**Section 27. Repatriation Claims and Agreements.** – Should the cultural property registered in the Philippine Registry of Cultural Property be illicitly exported from the country, the Department of Foreign Affairs shall, upon the recommendation of the appropriate cultural agency, claim the right of repatriation vis-à-vis all other contracting States. Any compensation and costs shall be carried by the Philippine government subject to reimbursement and liability by the person who caused the illegal importation.

**Section 27.1. International agreements.**—For the protection of cultural and foreign affairs interests and to secure cultural heritage, the Philippines may conclude international treaties with contracting States on the import and repatriation of cultural property subject to the following conditions:

- (a) The scope of the agreement must be cultural property of significant importance to the cultural heritage of the contracting States;
- (b) The cultural property must be subject to the existing export policies for the purpose of protecting cultural heritage; and,
- (c) The contracting States shall grant reciprocal rights.

## RULE VIII POWERS OF THE COMMISSION/CULTURAL AGENCIES

**Section 28. Power to Issue a Cease and Desist Order.** - When the physical integrity of the national cultural treasures or important cultural properties are found to be in danger of destruction or significant alteration from its original state, the appropriate cultural agency, shall immediately issue a Cease and Desist Order suspending all activities that will affect the cultural property. The local government unit, which has the jurisdiction over the site where the immovable cultural property is located, shall report the same to the appropriate cultural agency immediately upon discovery and shall promptly adopt measures to secure the integrity of such immovable cultural property. Thereafter, the appropriate cultural agency shall give notice to the owner or occupant of the cultural property and conduct hearing on the propriety of the issuance of the Cease and Desist Order. The suspension of the activities shall be lifted only upon the written authority of the appropriate cultural agency after due notice and



hearing involving interested parties and stakeholders.

**Section 29. Power to Issue Compulsory Repair Order.** - When a privately-owned heritage site cannot be maintained by the owner or has fallen into disrepair thru neglect to such an extent that it will lose its potential for conservation, the Commission, through the appropriate cultural agency, may serve on the owner or occupant of such property, an order to repair or maintain such site. If the owner fails to comply with said order within thirty (30) to forty-five (45) days, repairs may be undertaken by the appropriate cultural agency for the account of the owner.

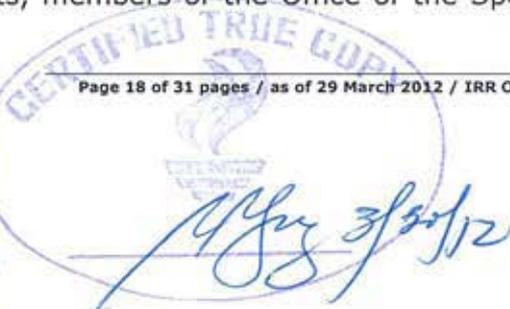
**Section 30. Visitorial Powers.** - The cultural agencies concerned, through the Commission, are hereby given the power to inspect National Cultural Treasures and Important Cultural Properties, and national historical landmarks, sites or monuments at any time to ensure the protection and integrity of such. They may also inspect public or private collections or objects that may be categorized as cultural property; Provided, That in the case of private collections or objects, the prior written consent of the owner shall be obtained.

**Section 30.1. Coordination by the Commission.--** The Commission shall coordinate the conduct of inspection by experts from the National Museum and/or the National Historical Commission of the Philippines on buildings and built environment declared as National Cultural Treasures and Important Cultural Properties and shall be responsible for deputizing law enforcement agents if necessary to enforce the visitorial power. Such inspections may be made in consonance with the required periodic monitoring of the such sites to determine their current condition, to address concerns of stakeholders on the property or to determine if the property is in danger or has actually been altered, demolished, or suffers neglect or deterioration

**Section 30.2. World Heritage Sites.--** The periodic monitoring of World Heritage Sites shall be in accordance with the recommended operational guidelines set by the UNESCO. The periodic monitoring shall be undertaken by the Commission using experts from the National Museum or National Historical Commission of the Philippines or members of the appropriate National Committee.

**Section 30.3. Intangible cultural properties.** - The Commission shall periodically monitor on site intangible cultural property and may therefore enter into communities to fulfill that purpose, subject to jurisdiction of government agencies such as National Museum and National Commission for Indigenous Peoples.

**Section 31. Power to Deputize Other Government Agencies.** - The cultural agencies concerned, as well as the Commission, shall have the power to deputize the Philippine National Police, the National Bureau of Investigation, the Armed Forces of the Philippines, the Philippine Coast Guard, and other local or national law enforcement agencies, including the Bureau of Fisheries' agents, the Department of the Environment and Natural Resources' rangers, the Bureau of Customs and Immigrations agents, members of the Office of the Special Envoy



on Transnational Crimes and other such agencies and their successors in interest, to enforce the provisions of this Act and its implementing rules and regulations. The said agencies shall immediately detail their respective personnel to protect the cultural items under the National Registry.

Failure to follow deputization order of the concerned cultural agency as well as the Commission shall be penalized in accordance with the provision of the act.

**Section 31.1. Other instances of deputization.**—The Commission at the request of the National Museum, shall coordinate the deputization of the Philippine National Police or the Armed Forces of the Philippines in relation to the protection of known or newly discovered archeological sites.

**Section 32. Power to Recover Cultural Properties.** – The Commission is empowered to recover or retrieve cultural properties which are under the custody of foreign nationals or entities and to bring these properties back to Philippine custody.

**Section 33. Anthropological Research and Archaeological Exploration / Excavation.** –

**Section 33.1. Regulation and control of foreign and local research, data and specimen gathering, archeological exploration and excavation, treasure hunting and accidental discoveries.** --The National Museum with respect to cultural/ archaeological/ anthropological matters, and the National Historical Commission of the Philippines, with respect to historical matters, shall regulate and control all anthropological research conducted by foreigners; and all archaeological excavation or exploration. Pursuant to the foregoing, the National Museums and/or the NHCP shall deputize other agencies to protect archaeological and anthropological sites. It shall be guided by the following rules:

1. All cultural property found in terrestrial and / or underwater archaeological sites belong to the State.
2. No terrestrial and/or underwater archaeological explorations and excavations for the purposes of obtaining materials and data of cultural value shall be undertaken without written authority and direct site supervision by archaeologists and/or representatives of the National Museum;
3. All anthropological researches, for the purpose of obtaining materials and data of cultural value and where the principal proponent is a foreign national shall be undertaken only with the authority and supervision of the National Museum or the National Historical Commission of the Philippines. Anthropological research by Philippine nationals, especially members of the indigenous communities shall be encouraged;

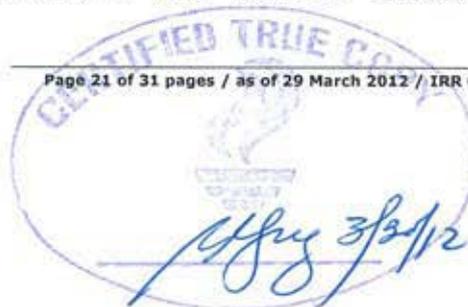


4. All surveys, exploration and excavation or diggings of archaeological or historical sites, whether in government or private property for the purpose of obtaining materials of cultural and historical value shall be undertaken only by the National Museum or any other institutions authorized by National Museum; Provided however, the archaeological project of any institution shall be subject to Permit System being imposed by the National Museum and shall be subject to inspection and monitoring at any time by an authorized representative of National Museum.
5. The National Museum is the sole institution that issues Permit to Conduct Archaeological Exploration and Excavation and shall continue the issuance of such permits pursuant to existing guidelines of the agency.
6. The National Museum shall formulate mechanisms in the granting of permit to conduct anthropological researches by foreign national. Only foreign anthropologists with a valid researcher's visit (visa) shall be allowed to conduct anthropological studies.
7. Special Authority to conduct anthropological researches shall be granted to foreigners who are designated as National Museum Research Associates.
8. All local anthropologists shall inform the National Museum pertinent to their research in declared anthropological reservations.
9. Archaeological or anthropological materials presumed as important cultural property shall be allowed to leave the country only upon proper evaluation and written permission of the National Museum or the National Historical Commission of the Philippines;
10. All explorations and excavations undertaken wherein the caves, rock shelters and their vicinities may have been used in the prehistoric past by man either for habitation, religious and/or sacred and burial purposes all over the country, shall be under the direct jurisdiction and supervision of archaeologists and/or other experts of the National Museum; The National Museum shall be responsible in the management and protection of caves assessed with cultural, paleontological and archaeological values in collaboration with the Regional Cave Committee.
11. The National Museum and the National Historical Commission of the Philippines shall participate actively in



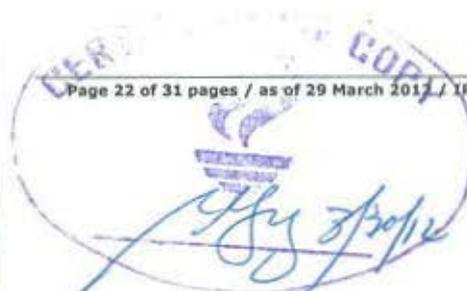
the National Cave Committee and Regional Cave Committees throughout the country to ensure that caves with cultural and historical values are preserved and protected.

12. All mining activities inside caves, rock shelters and any such other areas shall require a written permit and clearance from the National Museum. An appropriate prior inspection by representatives of the National Museum, funded by the company applying for a mining right, shall be required to ensure that no archaeological materials are present and, possibly, destroyed;
13. Archaeological Impact Assessment must be incorporated as one of the prerequisite for the issuance of Environmental Clearance Certificates which should be undertaken ahead of time prior to the start of the construction project.
14. The Regional Cave Committees shall inform the National Museum on the proposed mining activity to be undertaken in caves; In coordination with the company that applied for mining right, the National Museum shall conduct test excavation in caves, rockshelters or any other such areas to ensure that no archaeological material is present.
15. The report on test excavation shall be submitted by the National Museum to the Department of Environment and Natural Resources. When the area has no archaeological significance, the National Museum shall issue a clearance which is a prerequisite requirement before the issuance of mining permit;
16. If the cave, rock shelter or similar areas yield archaeological and or historical objects, no clearance shall be issued and the site will be under the management of the National Museum and or National Historical Commission of the Philippines;
17. During the mining operation, the National Museum shall periodically dispatch personnel to assess the ongoing activities in caves, rock shelters and other similar areas
18. All treasure hunting permits and licenses shall be issued by the National Museum, which shall formulate the rules and regulations to adequately control, regulate and monitor all applicants for such undertakings; and for this purpose, guidelines shall be adopted by the the National Museum, as the lead agency in collaboration with the Department of Environment and Natural Resources



through the Mines and Geo-Sciences Bureau which shall form part of these Rules;

19. The provisions of these Rules on explorations and excavations of terrestrial and underwater archaeological sites shall supersede all local, municipal, regional and autonomous regional governments' resolutions and ordinances.
20. The discoverer shall report the said cultural or historical property to the Commission or to the concerned agency; activities leading to the non-reporting of sites shall be considered physical interventions on archaeological or historical site and shall be penalized accordingly.
21. When the presence of any cultural or historical property is discovered, the National Museum or the National Historical Commission of the Philippines which may act through the Commission shall immediately suspend all activities that will affect the site and shall immediately notify the local government unit having jurisdiction of the place where the discovery was made. The local government unit shall promptly adopt measures to protect and safeguard the integrity of the cultural property so discovered and within five (5) days from the discovery shall report the same to the appropriate agency. The suspension of these activities shall be lifted only upon the written authority of the National Museum or the National Historical Commission of the Philippines and only after the systematic recovery of the archaeological materials. Such activities may include agricultural and engineering works, mineral and marine explorations;
22. All excavations in private property done by institutions other than concerned agency shall be undertaken only with the written consent of the owner(s) of the site and with the supervision of the qualified archaeologists or of such other persons who in the opinion of the concerned agency is competent to supervise the work;
23. All archaeological excavations done by other institutions shall be monitored by the representatives of the National Museum; The supervisor of an archaeological project shall be required by the concerned cultural agency to submit at any time a report on the progress of the project. The supervisor of an archaeological project shall, within 30 days upon the completion of the excavation or diggings, deposit with the concerned agency a catalogue of all the materials found thereon and description of



archaeological context in accordance with the accepted archaeological practices.

24. After the analysis, all cultural and historical materials recovered from the excavations shall be turned over to the National Museum. Supported with a Memorandum of Agreement, authorized educational institutions or organizations may have a share of the collections provided that the objects shall be used for educational and research purposes. Only artifacts that are categorized as Cultural Property Grade III can be shared.

**Section 33.2. Sharing of discovered materials.--** Sharing of the collection as part of the deaccessioning policy of the National Museum or for a long term loan shall be subject to the pertinent guidelines of the National Museum.

**Section 33.3. Fees.--** All institutions authorized by the National Museum to explore, excavate, collect or conduct research, shall pay fees approved by the Director of the National Museum.

**Section 33.4. Incentives.--** The Commission, upon the recommendation of the National Museum, shall provide incentives for persons who discover and report heretofore unknown archaeological sites, in accordance with these Rules.

**Section 33.5. Environmental Impact Assessment.--** Any government or non-government infrastructure project or architectural site development shall include anthropological, archaeological, historical and heritage site conservation concerns in their Environmental Impact Assessment System.

Prior to the issuance of Environmental Clearance Certificate, Archaeological Impact Assessment is a requirement in areas declared as Heritage Zones and in known or newly discovered archeological sites. In the event that an archeological site is discovered on a project which had received a clearance, all earth moving activities shall cease immediately, subject to an assessment by the National Museum.

**Section 33.6.** National Museum shall establish guidelines for the verification and inspection of land and underwater archaeological sites which shall form part of these Rules.

## RULE IX ROLE OF CULTURAL AGENCIES

**Section 34. Responsibilities of Cultural Agencies for Designation of Cultural Property.** - The cultural agencies, in conformity with their respective charters, shall define and delineate their respective areas of responsibility with respect to cultural property. These areas shall be subject to periodic re-



assessment whenever necessary.

**Section 34.1. The Commission as administrator of RA 10066.**—The commission will administer and execute the provisions of this Act not otherwise assigned to particular cultural agencies and any and all acts to be referred or delegated by the cultural agencies.

**Section 34.2. The Cultural Agencies.**—For purposes of this Act, the following shall be the responsibilities of cultural agencies in the categorization of cultural property:

- (a) The **Cultural Center of the Philippines (CCP)** shall be responsible for significant cultural property pertaining to the performing arts;
- (b) The **National Archives of the Philippines (NAP)** shall be responsible for significant archival records and materials;
- (c) The **National Library of the Philippines (NLP)** shall be responsible for rare and significant contemporary books, manuscripts such as, but not limited to, presidential papers, periodicals, newspapers, singly or in collection, and libraries and electronic records;
- (d) The **National Historical Commission of the Philippines (NHCP)** shall be responsible for significant movable and immovable cultural property that pertains to Philippine history; heroes and the conservation of historical artifacts;
- (e) The **National Museum (NM)** shall be responsible for significant movable and immovable cultural and natural property pertaining to collections of fine arts, architectural arts and built heritage, archaeology, anthropology, botany, geology, zoology and astronomy, including its conservation aspect;
- (f) The **Komisyon sa Wikang Filipino (KWF)** shall be responsible for the dissemination, development, and the promotion of the Filipino national language and the conservation of vernacular languages.

**Section 35. Institutional Linkages of the National Cultural Agencies.**—

The cultural agencies and other national government agencies, as listed below, shall consult, coordinate and work closely with the Commission in the implementation of their respective programs/projects in the context of this Act. Furthermore, the Commission may link up with other agencies and institutions, as it may deem appropriate, as a way of dealing with conservation on a holistic manner.



- (a) The **Department of Tourism**, and its attached agencies, which shall be responsible for cultural education among tourism services, and protection of cultural property supplemental to the jurisdiction of the cultural agencies as defined in this Act. The implementation and creation of a tourism master plan shall be consistent with this Act;
- (b) The **Intramuros Administration** which shall be responsible for the restoration and administration of the development in Intramuros;
- (c) The **National Parks Development Committee** as an attached agency of the Department of Tourism, which shall be responsible in supervising the development (beautification, preservation and maintenance) of Quezon Memorial, Fort Santiago, Luneta, Paco Park, Pook ni Maria Makiling and other national parks and satellite projects;
- (d) The **Department of Education** which shall be responsible in instituting the governance of basic education act, and the conservation and restoration of its built heritage such as the significant Gabaldon School buildings as determined by the National Historical Commission of the Philippines;
- (e) The **Department of Public Works and Highways** which shall be responsible in undertaking major infrastructure projects specifically in the planning, design, construction, and maintenance of national roads and bridges as they impact on heritage structures or aspects of heritage conservation;
- (f) The **National Commission on Indigenous Peoples** in behalf of the country's indigenous cultural communities, which shall coordinate with the national agencies on matters pertaining to Cultural Property under its jurisdiction;
- (g) The **Department of Environment and Natural Resources** which shall be responsible for the establishment and management of the National Integrated Protected Areas System and the conservation of wildlife resources, including cave and cave resources and which shall coordinate with the National Commission on Indigenous peoples, the conservation of natural resources that are cultural sanctuaries of indigenous peoples;
- (h) The **Department of the Interior and Local Government** which shall coordinate with the national cultural agencies on matters pertaining to Cultural Properties under its jurisdiction, and ensure that the provisions of this Act is properly executed by the local government unit;



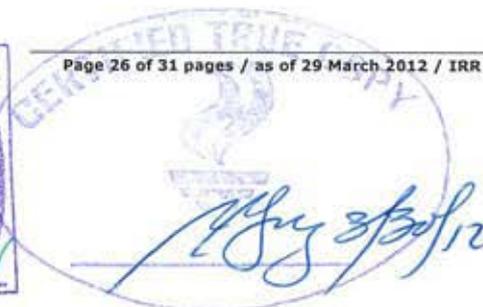
- (i) The **Office of the Muslim Affairs** which shall coordinate with the national cultural agencies on matters pertaining to Cultural Property under its jurisdiction;
- (j) The **UNESCO National Commission of the Philippines** which shall be responsible for providing the liaison between the cultural agencies of the Philippines and UNESCO as well as assist the national cultural agencies in implementing the agreements and conventions adopted by the UNESCO of which the Philippines has ratified or is in the process of ratification;
- (k) The **Housing and Land Use Regulatory Board** which shall coordinate with the local government units and the Commission on matters pertaining to the establishment and maintenance of Heritage Zones;
- (l) The **Autonomous Regional Government in Muslim Mindanao** and the **Cordillera Administrative Region** which shall coordinate with the national cultural Agencies on matters pertaining to Cultural Property under their respective jurisdictions; and,
- (m) The **Office of the Special Envoy on Transnational Crimes**, which shall have the oversight and operational capacity to go after illicitly trafficked and stolen cultural treasures.

**Section 36. Incorporation of Cultural Property Programs in Local Government Units Budgets.** - The local government units are encouraged to incorporate programs and budgets for the conservation and preservation of Cultural Property in their environmental, educational and cultural activities. The Commission may provide expert advice in the conduct of the local government's cultural activities.

**Section 37. Training Programs.** - The Commission, in coordination with the appropriate cultural agencies shall provide general training programs on conservation to the local government units which have established cultural heritage programs and projects in their localities.

## RULE X CULTURAL PROPERTY INCENTIVES PROGRAM

**Section 38. Tax Exemption on Donations.** - All donations in any form to the Commission and its affiliated cultural agencies shall be exempt from the donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended,



subject to the issuance of the appropriate rules thereon by the Bureau of Internal Revenue.

**Section 39. National Heritage Resource Assistance Program.** - The Commission may provide financial assistance in the form of a grant to historic, archaeological, architectural, artistic organizations for conservation or research on cultural property. No grant made pursuant to this Act shall be treated as taxable income.

**Section 40. Awards and Citations.** - To encourage preservation of the national heritage, the Commission shall establish an annual conservation recognition program under which monetary prizes, awards and citations will be given by the President of the Philippines, upon the recommendation of the Commission, for special achievements and important contributions and services in the area of heritage preservation and conservation efforts

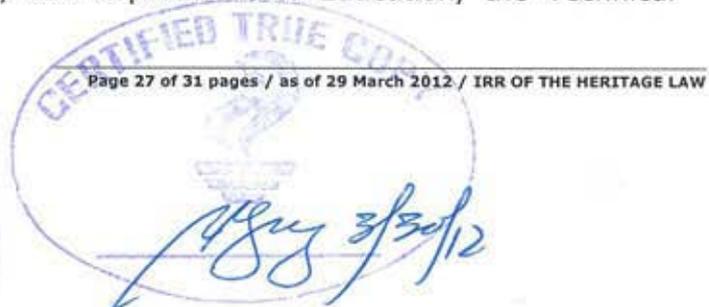
- (a) The Annual Heritage Conservation Recognition Program shall be staged during the annual Heritage Month Celebrations to honor outstanding achievements in the field of heritage preservation and conservation.
- (b) In its first year of implementation, the Annual Heritage Conservation Recognition Program shall cover feats and accomplishments within the two immediately preceding years of living individuals and existing organizations.
- (c) The Commission shall adopt applicable parameters of the NCCA Gawad Alab ng Haraya including General Nomination Rules and Requirements, and Criteria for Selection.
- (d) Subject to the Commission's discretion and determination, winners of the Annual Heritage Conservation Recognition Program Awards shall be accorded citations and monetary prizes

## RULE XI CULTURAL EDUCATION

**Section 41. Incorporation of National Cultural Treasures and Important Cultural Properties in the Basic Education System.** - Within one (1) year from the effectivity of this Act, the Department of Education in coordination with the Commission's Philippine Cultural Education Program shall formulate the cultural heritage education programs both for local and overseas Filipinos to be incorporated into the formal, alternative and informal education, with emphasis on the protection, conservation and preservation of cultural heritage property.

The Philippine Registry of Cultural Property shall likewise be incorporated into the formal, alternative, and informal education by the provincial and local governments.

**Section 42. Cultural Heritage Education Program.** - Within one (1) year from the effectivity of this Act, the Department of Education, the Technical



Education and Skills Development Authority and the Commission on higher Education in consultation with the Commission shall set forth in its teaching programs nationwide the following cultural heritage education programs with emphasis at the provincial, city and municipal levels:

- (a) Protection, conservation and preservation of cultural heritage properties;
- (b) Instructional materials in print, film and broadcast media on the cultural and historical significance of cultural properties; and,
- (c) Visitation, public accessibility and information dissemination on designated local cultural properties.

**Section 43. Public Accessibility.** - Access to national historical landmarks, monuments and sites, whether designated as National Cultural Treasure, Important Cultural Property by the general public for visitation and information, and by government representatives for inspection, shall not be hindered except on reasonable cause. Fees, as prescribed by the cultural agency concerned, may in appropriate cases be charged to defray cost of conservation, inclusive of general maintenance and upkeep. In the case of privately owned monuments and sites, the National Historical Commission of the Philippines or the National Museum shall arrange with the owners the schedules of visits and regular inspection.

Specimens shall be available for study by bona fide students, researchers and other interested persons under the supervision of authorized staff and following policies on the access to collection and data of concerned agency.

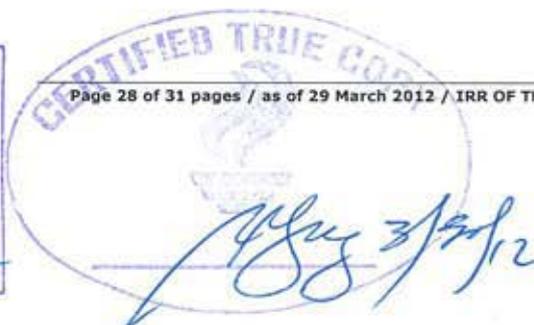
Published research data and relevant information shall be shared with the public

Entrance fees shall be charged in National Museum's archaeological sites and branch museums.

## RULE XII CULTURAL HERITAGE WORKERS' INCENTIVES PROGRAM

**Section 44. Cultural Heritage Workers' Incentives.** - The national cultural agencies, in coordination with the Commission on Higher Education shall initiate scholarships, educational training programs, and other measures to protect the well-being of curators, conservators, authenticators and valuers/appraisers of cultural property. Such cultural workers shall be given grants, incentives and scholarships upon the endorsement by the head of the appropriate cultural agency.

- (a) **Program for Cultural Heritage Workers.** Within ninety (90) days from the effectivity of this Act, the Commission through the cultural agencies concerned shall come up with the following:



- 1) An active Roster of Authenticators and Valuators/Appraisers;
- 2) An education and training plan for conservators, authenticators, valuers / appraisers, and other conservation related workers; and,
- 3) A general training plan on conservation for local government units.

- (b) **Application of Scientific Career Merit System.** Cultural heritage workers in the Civil Service with a Doctorate, Master of Science, or Master of Arts Degree in fields related to cultural heritage promotion and conservation, shall be given the rank and benefits of Scientists, subject to qualifying standards equivalent to those prescribed in the scientific career merit system of the government.

A cultural heritage worker involved in science and technology in the government agencies shall be eligible for the benefits under Republic Act 8439 or the Magna Carta for Scientists, Engineers, Researchers and other S&T Personnel in Government. The Commission shall likewise establish a merit award system for non-civil service cultural heritage workers.

## RULE XII SENTRO RIZAL

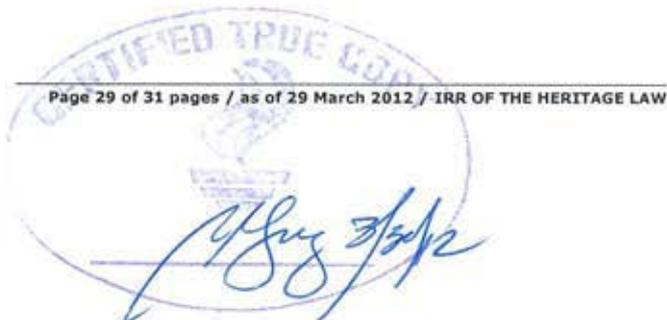
**Section 45. Purpose and General Coverage.**—These Implementing Rules and Regulations for the Sentro Rizal are promulgated pursuant to Sections 38, 42, 43, 44, 45, 46, 47 and 51 of Republic Act 10066. It shall cover the functions of the Sentro Rizal, the participation of various government agencies and appropriations.

**Section 46. Statement of Policy.** — It is the policy of the State to promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations and to ensure equal access to cultural opportunities through the educational system, public or private cultural entities and community cultural centers, and other public venues. (Art. XIV, Secs. 15 and 18, 1987 Constitution)

**Section 47. Construction.**—The Implementing Rules and Regulations for the Sentro Rizal shall be liberally construed in order to carry the national policy of promoting Philippine culture particularly among overseas Filipinos.

**Section 48. Sentro Rizal.** — The National Commission for Culture and the Arts shall establish the Sentro Rizal to be located in its main office.

**Section 49. Offices and Branches.**—Thereafter the NCCA shall establish offices or branches of the Sentro Rizal in countries where there are children of overseas Filipino workers who need to be educated about their roots, as well as in developed countries where there are large Filipino communities.



**Section 50. Overseas Locations.** — The overseas offices or branches of the Sentro Rizal are to be located as follows:

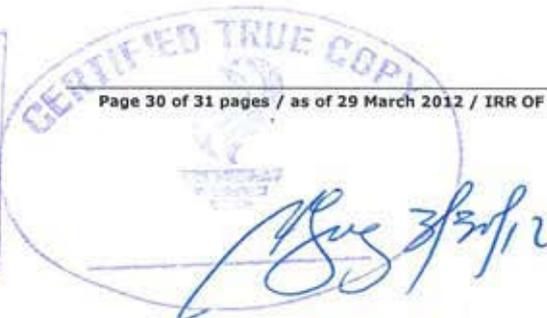
- (a) In countries where there are children of overseas Filipino workers who need to be educated about their roots, the office or branch shall be located in the Philippine embassy or consulate nearest the areas where most of the families of said children are located.
- (b) In developed countries where there are large Filipino communities, the Sentro Rizal may be located in privately owned buildings or offices and may be run by local Filipino expatriates or former Filipino citizens.

**Section 51. Functions of the Sentro Rizal offices or branches.**— The Sentro Rizal office or branch shall, among others, have the following functions:

- (a) Be repositories, *inter alia*, of the following materials on Philippine art, culture and language: books, digital video discs, compact discs, films, magazines, artworks, tourism promotion materials, information materials. All these shall be made available to the public both Filipino and foreign.
- (b) Organize cultural events and activities for Filipinos, especially for children overseas, hold fora on indigenous traditions and practices along with cultural heritage campaigns for Philippine heritage promotions abroad. The branches and offices shall duly report these activities to the Sentro Rizal on a quarterly basis.
- (c) Coordinate the activities of visiting artists and performing groups from the Philippines to ensure maximum participation and community impact.
- (d) Offer Filipino language courses, their study and appreciation thereof, for children and adults, as well as exhibits, small concerts, poetry reading and Philippine cuisine lessons.

**Section 52. Participation of Government Agencies.**— The pertinent government agencies shall have the following participations:

- (a) The Department of Tourism as well as the Department of Education, National Commission for Culture and the Arts, Commission for Higher Education, the National Historical Commission of the Philippines, National Museum of the Philippines, National Archives of the Philippines, the National Library of the Philippines, the Komisyon ng Wikang Filipino, and the Cultural Center of the Philippines shall provide information materials to the Sentro Rizal branches overseas.
- (b) In the same manner the Department of Trade and Industry will also provide trade and investment materials.



- (c) The Department of Education, in coordination with the Commission's Philippine Cultural Education Program shall formulate the cultural heritage education programs for overseas Filipinos to be incorporated into the formal, alternative and informal education, with emphasis on the protection, conservation and preservation of cultural heritage property.
- (d) The Commission for Filipinos Overseas (CFO) shall work as the partner agency for the NCCA and may assist the latter in establishing or operating or may itself operate Sentro Rizal in any of the schools falling under its oversight functions.

**Section 53. The Sentro Rizal Secretariat.**—The Sentro Rizal shall be under the office of the NCCA Chairman who shall set its staffing and with due consultation with the NCCA Board, set its yearly budget.

**Section 54. Separability Clause.**—If any clause, sentence, section or provision of these rules is held or declared unconstitutional, or invalid by a competent court, the remaining parts of these Implementing Rules and Regulations shall not be affected thereby.

**Section 55. Repealing and Amending Clause.**—All Rules and Regulations and resolutions of the NCCA Board inconsistent with or contrary to the provisions of these Implementing Rules and Regulations, are hereby repealed or modified accordingly.

**Section 56. Effectivity.** – These rules and regulations shall take effect immediately after publication in two newspapers of general circulation or in the Official Gazette, whichever takes place sooner. A copy of these Rules shall be deposited in the National Administrative Register.

